

REMARKS

Reconsideration of the pending application is respectfully requested in view of the following observations.

In the claims

Claim 1 is amended to specify the definition of the "upgrade." Specifically, the upgrade referred to in claim 1 is defined as being over originally issued documents of value having the first feature substance and lacking the third feature substance. Clear support for this amendatory language is found in para. [0036] of the description.

No new matter is introduced by the amendment to the claims. Entry of the amendment to the claims is kindly requested.

Rejection of claims 1-6, 8-12, 14, 15, 17, 19 and 32 under 35 USC 102(b) over US patent 6,155,605 (*Bratchley*)

Reconsideration of the rejection is respectfully requested in view of the amendment to the claims and the following observations.

It is submitted that *Bratchley* fails to disclose or suggest an upgrade of value documents defined as being an "upgrade" over originally issued documents of value having the first feature substance and lacking a third feature substance, wherein the upgraded value documents of the series in addition to or instead of the first feature substance comprises a third feature substance.

The rejection indicates on pages 2 and 3 of the Office Action that "upgrade" is interpreted as simply having a "different physical property." The disclosure in *Bratchley* of sorting a set of documents having different values using identifying material on the

document is cited for the “upgrade” feature where the identifying material has a different physical property which helps identify the value of the document.

The rejection has interpreted the high security entity (HSE) to be both the first and third feature substances and the low security entity (LSE) to be the second and fourth feature substances. In *Bratchley*, one group of users using a simple detector, such as retail outlets, use the LSE for authentication and a second group of users, such as banks, use the HSE alone or the HSE and LSE together for authentication (see col. 3, lines 58-66).

The term "upgrade" is clearly defined in the specification, and it amounts to more than just a "different physical property," as interpreted in the rejection. As explained in paragraphs [0035]-[0036], the term "upgrade" connotes a relationship among originally-issued value documents and subsequently upgrade value documents. These two types of value documents among the series of value documents are distinguished from one another by at least the third feature substance. Claim 1 particularly points out this relationship in the series of value documents among the originally-filed value documents and the upgraded value documents.

Nowhere in *Bratchley* is there any understanding of providing a series of value documents of amended claim 1 having at least two value documents wherein one of the value documents is an upgrade, as defined above, of the other value documents, particularly wherein the upgraded value documents includes both the first and third substances and the value documents that have not been upgraded do not include the third feature substance.

From these observations, it is clear that *Bratchley* fails to disclose or suggest every limitation required by claim 1.

The claims subject to this rejection are at least patentable based on their dependency from claim 1 and their individually recited features.

Withdrawal of this rejection of the claims is kindly requested.

Rejection of claim 7 under 35 USC 103(a) over US patent 6,155,605 (*Bratchley*) in view of EP 0 052 624 (*Kaule*)

Reconsideration of this rejection is requested in view of the dependency of claim 7 from claim 1. Claim 7 is considered patentable over the proposed combination of *Bratchley* and *Kaule* at least due to its dependency from claim 1 and its individually recited features.

Withdrawal of this rejection of the claims is kindly requested.

Rejection of claim 16 under 35 USC 103(a) over US patent 6,155,605 (*Bratchley*)

Reconsideration of this rejection is requested in view of the dependency of claim 16 from claim 1. Claim 16 is considered patentable over *Bratchley* at least due to its dependency from claim 1 and its individually recited features.

Withdrawal of this rejection of the claims is kindly requested.

Rejection of claims 33 and 34 under 35 USC 103(a) over US patent 6,155,605 (*Bratchley*) in view of *Anti-Stokes Phosphors/Luminophors (ASPL)*

Reconsideration of this rejection is requested in view of the dependency of claims 33 and 34 from claim 1. Claims 33 and 34 are considered patentable over the proposed combination of *Bratchley* and *ASPL* at least due to their dependency from claim 1 and their individually recited features.

Withdrawal of this rejection of the claims is kindly requested.

Rejection of claim 35 under 35 USC 103(a) over US patent 6,155,605 (*Bratchley*) in view of US patent 5,169,155 (*Soules*)

Reconsideration of this rejection is requested in view of the dependency of claim 16 from claim 1. Claim 35 is considered patentable over the proposed combination of *Bratchley* and *Soules* at least due to its dependency from claim 1 and its individually recited features.

Withdrawal of this rejection of the claims is kindly requested.

Conclusion

As a result of the amendment to the claims, and further in view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that every pending claim in the present application be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's attorney, the examiner is invited to contact the undersigned at the numbers shown below.

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Respectfully submitted,

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